

AMENDED
APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF NEVADA

ASSIGNEDDate of filing in State Engineer's Office DEC 19 2002

Returned to applicant for correction _____

Corrected application filed JAN 24 2003Map filed JAN 24 2003 under 69339

The applicant **Michael B. Stewart** hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **Underground (Well 7-S)**
2. The amount of water applied for is **0.017 cfs** second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **stockwater**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kinds of animals to be watered **500 cattle, 50 horses**
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35, T.45N., R.19E., M.D.B.&M., or at a point from which the N $\frac{1}{4}$ Corner of said Section 35 bears N. 17°51'00" W., a distance of 2,590.00 feet.**
6. Place of Use **SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35, T.45N., R.19E., M.D.B.&M.**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **Drilled and cased well, equipped with a motor, pump, and and troughs**
9. Estimated cost of works **\$10,000.00.**
10. Estimated time required to construct works **Three (3) years**
11. Estimated time required to complete the application of water to beneficial use **Five (5) years**
12. Remarks: **Well is drilled on private land (Washoe Co. APN 61-130-33)**

s/Gregory M. Bilyeu
By **Gregory M. Bilyeu**
500 Damonte Ranch Parkway, Suite 156
Reno, NV 89521

Compared cmf/ cac dl/ cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. It is further understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 69339 and 69426 shall not exceed 0.017 cubic feet per second or sufficient to water 500 head of cattle and 50 head of horses.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.017 cubic feet per second, or sufficient to water 50 head of cattle and 50 head of horses.

Work must be prosecuted with reasonable diligence and be completed on or before:

December 8, 2006

Proof of completion of work shall be filed on or before:

January 8, 2007

Water must be placed to beneficial use on or before:

December 8, 2008

Proof of the application of water to beneficial use shall be filed on or before:

January 8, 2009

Map in support of proof of beneficial use shall be filed on or before:

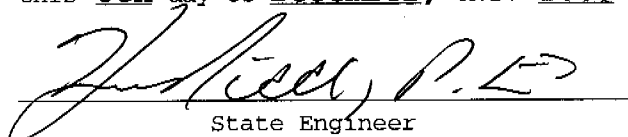
N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office, --

this 8th day of December, A.D. 2003


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____ N/A _____

Certificate No. _____ Issued _____